

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DIEGO FRAUSTO,)	
)	
Plaintiff,)	
)	
v.)	Case No. 10-1363
)	
IC SYSTEM, INC.,)	
)	
Defendant.)	

**UNOPPOSED MOTION FOR EXTENSION OF BRIEFING SCHEDULE ON
PLAINTIFF'S MOTION FOR RECONSIDERATION**

Pursuant to Federal Rule of Civil Procedure 6(b), Defendant, IC SYSTEM, INC. ("IC"), respectfully moves for a short extension of the briefing schedule on the plaintiff's motion for reconsideration, stating as follows:

1. On September 19, 2011, plaintiff filed a motion for reconsideration of the Court's August 22, 2011 order granting summary judgment to IC on the plaintiff's claim under the Telephone Consumer Protection Act, 47 U.S.C. § 227(b)(3).

2. In open court when the motion was presented on September 27, 2011, the Court granted defendant 28 days (until October 25, 2011) to file its response in opposition to the motion and plaintiff 7 day thereafter (until November 1, 2011) to file his reply. The minute order relating to the motion does not memorialize the briefing schedule that was set by the Court on September 27, 2011. [Docket Entry # 68].

3. Defendant respectfully requests a three-day extension of time, until October 28, 2011, to file its response brief because its counsel cannot finish the brief by the current deadline. In October, defense counsel had several competing professional obligations, which included preparation of a reply brief that was filed with the Seventh Circuit on October 5, 2011, preparation of an answer and motion to dismiss that were filed in a commercial dispute pending

in this Court on October 21, 2011, and preparation of an *amicus* brief that will be filed in the United States Supreme Court on October 28, 2011. In addition, defense counsel was on vacation from October 6, 2011 to October 11, 2011.

4. In an email exchange on October 25, 2011, plaintiff's counsel stated that he had no objection to this motion provided that the deadline for plaintiff's reply brief was extended to November 11, 2011. According to his email, plaintiff's counsel will be attending and helping to run a conference from November 2, 2011 to November 6, 2011.

For these reasons, Defendant, IC System, Inc., respectfully requests that this Honorable Court enter an order providing that defendant has until October 28, 2011 to file its response to the motion for reconsideration and plaintiff has until November 11, 2011 to file his reply.

Respectfully submitted:

I.C. System, Inc

By: /s/ Peter E. Pederson
One of its attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney certifies that on October 25, 2011, I served this document by filing it with the Court's CM/ECF system, which will make copies of the documents available to the following counsel of record.

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_____/s/ Peter E. Pederson